

PTO/SB/21 (09-06)

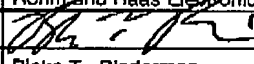
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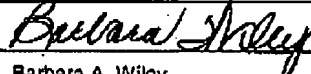
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/723,748	RECEIVED CENTRAL FAX CENTER APR 11 2007
	Filing Date	Nov 25, 2003	
	First Named Inventor	Wang, Hongyu	
	Art Unit	1765	
	Examiner Name	L. Umeh Eronini	
Total Number of Pages In This Submission	6	Attorney Docket Number	03049US

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance communication to (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks 		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Rohm and Haas Electronic Materials CMP Holdings, Inc.		
Signature			
Printed name	Blake T. Blederman		
Date	April 11, 2007	Reg. No.	34,124

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	Barbara A. Wiley	Date	April 11, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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APR 11 2007

PTO/SB/17p (09-06)

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PETITION FEE Under 37 CFR 1.17(f), (g) & (h) TRANSMITTAL (Fees are subject to annual revision)	Application Number	10/723,746
	Filing Date	11/25/2003
	First Named Inventor	Wang
	Art Unit	1765
	Examiner Name	L. Umez Eronini
	Attorney Docket Number	03049US

Send completed form to: Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

Enclosed is a petition filed under 37 CFR 1.183 that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(f), see form PTO/SB/17i.

Payment of Fees (small entity amounts are NOT available for the petition fees)

☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 500618:

☒ petition fee under 37 CFR 1.17(f), (g) or (h) ☒ any deficiency of fees and credit any overpayments

Enclose a duplicative copy of this form for fee processing.

☐ Check in the amount of \$ is enclosed.

☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462

For petitions filed under:

- § 1.28(a) - for revocation of a power of attorney by fewer than all applicants.
- § 1.53(e) - to accord a filing date.
- § 1.57(e) - to accord a filing date.
- § 1.182 - for decision on a question not specifically provided for.
- § 1.183 - to suspend the rules.
- § 1.378(e) - for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.
- § 1.741(b) - to accord a filing date to an application under § 1.740 for extension of a patent term.

Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463

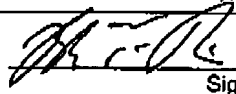
For petitions filed under:

- § 1.12 - for access to an assignment record.
- § 1.14 - for access to an application.
- § 1.47 - for filing by other than all the inventors or a person not the inventor.
- § 1.59 - for expungement of information.
- § 1.103(a) - to suspend action in an application.
- § 1.130(b) - for review of a request for extension of time when the provisions of section 1.138(a) are not available.
- § 1.295 - for review of refusal to publish a statutory invention registration.
- § 1.296 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.
- § 1.377 - for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.
- § 1.950(c) - for patent owner requests for extension of time in ex parte reexamination proceedings.
- § 1.956 - for patent owner requests for extension of time in inter partes reexamination proceedings.
- § 5.12 - for expedited handling of a foreign filing license.
- § 5.15 - for changing the scope of a license.
- § 5.25 - for retroactive license.

Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464

For petitions filed under:

- § 1.18(g) - to request documents in a form other than that provided in this part.
- § 1.84 - for accepting color drawings or photographs.
- § 1.91 - for entry of a model or exhibit.
- § 1.102(d) - to make an application special.
- § 1.138(e) - to expressly abandon an application to avoid publication.
- § 1.313 - to withdraw an application from issue.
- § 1.314 - to defer issuance of a patent.


Signature

Blake T. Biederman

Typed or printed name

April 11, 2007
Date

34,124

Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comment on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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CENTRAL FAX CENTER****APR 11 2007****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Wang	Confirmation No.: 8965
Application No.: 10/723,746	Art Unit: 1765
Filed: 11/25/2003	Examiner: L. Umez Eronini
Title: POLISHING COMPOSITION FOR CMP HAVING ABRASIVE PARTICLES	
Attorney Docket No.: 03049US	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION UNDER CFR 1.183

Dear Sir:

Applicants respectfully petition that the Commissioner suspend the rules as follows:

- I. Retract the Notice of Abandonment mailed April 5, 2007.
- II. Resubmit the action mailed May 3, 2006.
- III. Refund the petition fee.

A chronological history of correspondence with the USPTO is as follows:

1. On April 12, 2006, Applicants filed an RCE entering a previously submitted amendment.
2. On May 3, 2006, the USPTO mailed a response.
3. On May 15, 2006, the USPTO received the response as return to sender.
4. Next correspondence was a phone call from Examiner Eronini requesting that I confirm Rohm and Haas' intention to abandon the application. After a quick investigation, I called back noting that Rohm and Haas did not intend to abandon the case and that the PAIR system indicates that the response was returned to sender. Furthermore, I noted that the two "blackened out" lines on the envelope appear to

indicate that the USPTO mailed the response to the wrong address—see attached copy. In addition, I requested that the USPTO either reinstate the office action or instruct me as to what I should do to reinstate the response.

5. March 22, 2007, after not receiving any correspondence for a period of time, I left a voice mail message with Examiner Eronini again requesting that she resubmit the response.
6. The next response was a voicemail message from Examiner Eronini indicating that she had checked with her supervisor and that she regretted that she must abandon the case because of Applicants' change of address.
7. April 3, 2007, I left a message with Examiner Eronini explaining the two lines were an incorrect address and that the old address forwarded mail. And I again requested if there was a way to avoid abandoning the application.

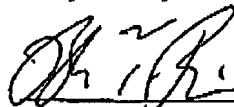
Arguments for the petition to suspend rules are as follows:

- I. As evidenced by the correspondence, Rohm and Haas Electronic Materials CMP Holdings, Inc. had a four line address, not a two line address of the Attachment.
- II. As evidenced by PAIR, the change of address occurred July 7, 2006.
- III. The Holding Company at the old address had and continues to have a policy of forwarding mail to the new address.
- IV. Applicants' attorney made a good faith effort with the USPTO to reinstate the May 3, 2006 amendment, but was unsuccessful due to an apparent misunderstanding by the USPTO.

Respectfully submitted,

April 11, 2007
Date

Blake T. Biederman
451 Bellevue Road
Newark, DE 19713



Blake T. Biederman
Attorney for Applicant(s)
Reg. No. 34124

ALEXANDRIA, VA 22313-1450
IF UNDELIVERABLE RETURN IN TEN DAYS
OFFICIAL BUSINESS

0004204479 MAY 03 2006
MAILED FROM ZIP CODE 22314

AN EQUAL OPPORTUNITY EMPLOYER

Return to Sender



RECEIVED
MAY 15 2006
USPTO MAIL CENTER

